

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Richard L. Micco
dba Richard L. Micco D.P.M. P.C.
Linda L. Micco
Debtor(s)

Bankruptcy Case No.: 17-10452-TPA
Per December 19, 2017 Proceeding
Chapter: 13
Docket No.: 79 – 45, 52, 60
Concil. Conf.: April 10, 2018 at 11:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated October 21, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Apr. 10, 2018 at 11:00 AM, in Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☒ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

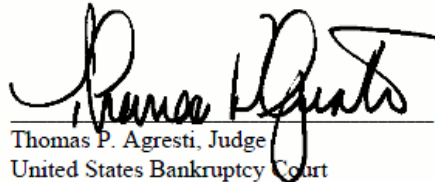
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: December 20, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Richard L. Micco
 Linda L. Micco
 Debtors

Case No. 17-10452-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: jmar
 Form ID: 149

Page 1 of 3
 Total Noticed: 46

Date Rcvd: Dec 20, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 22, 2017.

db/jdb
 cr +Richard L. Micco, Linda L. Micco, P.O. Box 9, New Wilmington, PA 16142-0009
 +T. Lawrence Palmer Office of Attorney General, Pen, Office of Attorney General,
 5th Floor, Manor Complex, 564 Forbes Avenue, Pittsburgh, PA 15219-2992
 cr +Wilmington Savings Fund Society, FSB, Marinosci Law Group, P.C.,
 c/o Frederic Dispigna, Esq., 100 West Cypress Creek Road, Suite 1045,
 Fort Lauderdale, FL 33309-2191
 cr +Wilmington Savings Fund Society, FSB, et al., c/o Stern & Eisenberg, PC,
 1581 Main Street, Suite 200, Warrington, PA 18976-3400
 14416321 +Accelerated Revenue Management, Inc., P.O. Box 3666, Camarillo, CA 93011-3666
 14519231 +Atlas Resource Partners LLC, 3500 Massillon Rd Ste 100, Uniontown, OH 44685-9575
 14416322 +Burton Neil & Assoc., Citibank South Dakota, 701 60th St., Sioux Falls, SD 57104-0493
 14416323 +Chrysler Capital, P.O. Box 961275, Fort Worth, TX 76161-0275
 14416324 Citibank South Dakota (Sears), P.O. Box 183082, Columbus, OH 43218-3082
 14416327 +Eagle Group LLC, 10 E. Maitland Lane, New Castle, PA 16105-1204
 14643360 +First Commonwealth Bank, c/o McGrath McCall, P.C., Four Gateway Center, Suite 1040,
 444 Liberty Avenue, Pittsburgh, PA 15222-1225
 14519240 +Frank Frachetti, 220 Olde Colony Dr, New Castle, PA 16105-4504
 14416329 +GE Capital Retail Bank, P.O. Box 981480, El Paso, TX 79998-1480
 14416334 +Macys/fdsb, Macys Bankruptcy, P.O. Box 8053, Mason, OH 45040-8053
 14416336 Penn Credit Corp., P.O. Box 988, Harrisburg, PA 17108-0988
 14416337 Peoples Natural Gas, P.O. Box 535323, Pittsburgh, PA 15253-5323
 14416338 +Pioneer Credit Recovery, P.O. Box 189, Arcade, NY 14009-0189
 14416341 Sears Gold Mastercard, P.O. Box 183082, Columbus, OH 43218-3082
 14519258 +Selene Finance LP, 9990 Richmond Ave, Houston, TX 77042-8500
 14416347 +United Revenue Collection Service, P.O. Box 1184, Langhorne, PA 19047-6184
 14519266 +Weltman, Weinberg & Reis, 1400 Koppers Building, 436 Seventh Avenue,
 Pittsburgh, PA 15219-1842

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14519230 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Dec 21 2017 01:09:01 American InfoSource LLP,
 Midland Funding LLC, PO Box 268941, Oklahoma City, OK 73126-8941
 14416326 E-mail/Text: mrdiscen@discover.com Dec 21 2017 01:04:23 Discover, P.O. Box 15316,
 Wilmington, DE 19850-5316
 14632290 E-mail/Text: mrdiscen@discover.com Dec 21 2017 01:04:23 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 14519237 E-mail/Text: bankruptcy.bnc@ditech.com Dec 21 2017 01:04:29 Ditech Financial,
 PO Box 94710, Palatine, IL 60094-4710
 14636562 E-mail/Text: bankruptcy.bnc@ditech.com Dec 21 2017 01:04:29
 Ditech Financial LLC fka Green Tree Servicing LLC, P.O. Box 6154,
 Rapid City, South Dakota 57709-6154
 14416328 E-mail/Text: bankruptcynotice@fcbanking.com Dec 21 2017 01:04:24 First Commonwealth Bank,
 Attn: Special Assets, P.O. Box 400, Indiana, PA 15701
 14416330 +E-mail/PDF: gecsedirecoverycorp.com Dec 21 2017 01:08:49 GE Capital Retail Bank/QVC,
 P.O. Box 971402, El Paso, TX 79997-1402
 14519243 E-mail/Text: cio.bncmail@irs.gov Dec 21 2017 01:04:27 Internal Revenue Service,
 Centralized Insolvency Operation, PO Box 7346, Philadelphia, PA 19101-7346
 14416333 +E-mail/PDF: resurgentbknofications@resurgent.com Dec 21 2017 01:09:01 LVNV Funding LLC,
 P.O. Box 10497, Greenville, SC 29603-0497
 14416332 +E-mail/PDF: resurgentbknofications@resurgent.com Dec 21 2017 01:08:52 LVNV Funding LLC,
 P.O. Box 740281, Houston, TX 77274-0281
 14680742 E-mail/PDF: resurgentbknofications@resurgent.com Dec 21 2017 01:09:01
 LVNV Funding, LLC its successors and assigns as, assignee of Citibank (South Dakota),,
 N.A., Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14416331 +E-mail/PDF: gecsedirecoverycorp.com Dec 21 2017 01:09:07 Lowes/MBGA,
 Attn: Bankruptcy Dept., P.O. Box 103104, Roswell, GA 30076-9104
 14697682 +E-mail/Text: bankruptcydpt@mcmcg.com Dec 21 2017 01:04:59 MIDLAND FUNDING LLC,
 PO BOX 2011, WARREN, MI 48090-2011
 14416335 +E-mail/Text: bankruptcydpt@mcmcg.com Dec 21 2017 01:04:59 Midland Funding LLC,
 2365 Northside Dr., Ste 300, San Diego, CA 92108-2709
 14519250 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Dec 21 2017 01:04:43 PA Dept. of Revenue,
 Bankruptcy Division, Dept. 280946, Harrisburg, PA 17128-0946
 14416339 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 21 2017 01:14:47
 Portfolio Recovery Associates, 120 Corporate Blvd., Suite 100, Norfolk, VA 23502
 14704997 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 21 2017 01:14:39
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 14416736 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 21 2017 01:14:29
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14523061 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Dec 21 2017 01:04:43
 Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946,
 Harrisburg, PA 17128-0946
 14519255 +E-mail/Text: bkdepartment@rtresolutions.com Dec 21 2017 01:05:11 Real Time Resolutions,
 1750 Regal Row, Dallas, TX 75235-2289

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User: jmar
Form ID: 149

Page 2 of 3
Total Noticed: 46

Date Rcvd: Dec 20, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14675756 +E-mail/Text: bkdepartment@rtresolutions.com Dec 21 2017 01:05:11
Real Time Resolutions, Inc., 1349 Empire Central Drive, Suite #150,
Dallas, Texas 75247-4029
14416342 E-mail/PDF: gecsed@recoverycorp.com Dec 21 2017 01:09:07 Synchrony Bank/Lowes,
P.O. Box 530914, Atlanta, GA 30353-0914
14416343 E-mail/PDF: gecsed@recoverycorp.com Dec 21 2017 01:09:07 Synchrony Bank/Lowes,
P.O. Box 965005, Orlando, FL 32896-5005
14416345 +E-mail/Text: bankruptcydepartment@tsico.com Dec 21 2017 01:05:33 Transworld Systems Inc.,
507 Prudential Road, Horsham, PA 19044-2308
14707838 +E-mail/Text: bkteam@selenefinance.com Dec 21 2017 01:04:26
Wilmington Savings Fund Society, FSB, d/b/a Christ, C/O Selene Finance LP,
9990 Richmond ave Suite 400 South, Houston TX 77042-4546

TOTAL: 25

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Ditech Financial LLC
cr Wilmington Savings Fund Society, FSB, d/b/a Christ
cr* +First Commonwealth Bank, c/o McGrath McCall, P.C., Four Gateway Center, Suite 1040,
444 Liberty Avenue, Pittsburgh, PA 15222-1225
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14519229* +Accelerated Revenue Management, Inc., P.O. Box 3666, Camarillo, CA 93011-3666
14519232* +Burton Neil & Assoc., Citibank South Dakota, 701 60th St., Sioux Falls, SD 57104-0493
14519233* +Chrysler Capital, P.O. Box 961275, Fort Worth, TX 76161-0275
14519234* Citibank South Dakota (Sears), P.O. Box 183082, Columbus, OH 43218-3082
14519235* +Creditech, PO Box 130, Bangor, PA 18013-0130
14519236* ++DISCOVER FINANCIAL SERVICES LLC, PO BOX 3025, NEW ALBANY OH 43054-3025
(address filed with court: Discover, P.O. Box 15316, Wilmington, DE 19850-5316)
14651190* Ditech Financial LLC fka Green Tree Servicing LLC, P.O. Box 6154,
Rapid City, South Dakota 57709-6154
14519238* +Eagle Group LLC, 10 E. Maitland Lane, New Castle, PA 16105-1204
14519239* ++FIRST COMMONWEALTH BANK, PO BOX 400, INDIANA PA 15701-0400
(address filed with court: First Commonwealth Bank, Attn: Special Assets, P.O. Box 400,
Indiana, PA 15701)
14519241* +GE Capital Retail Bank, P.O. Box 981480, El Paso, TX 79998-1480
14519242* +GE Capital Retail Bank/QVC, P.O. Box 971402, El Paso, TX 79997-1402
14519244* +Internal Revenue Service, Insolvency Operation, Room 711B, 1000 Liberty Ave,
Pittsburgh, PA 15222-4107
14519247* +LVNV Funding LLC, P.O. Box 10497, Greenville, SC 29603-0497
14519246* +LVNV Funding LLC, P.O. Box 740281, Houston, TX 77274-0281
14519245* +Lowe's/MBGA, Attn: Bankruptcy Dept., P.O. Box 103104, Roswell, GA 30076-9104
14519248* +Macys/fdsb, Macys Bankruptcy, P.O. Box 8053, Mason, OH 45040-8053
14519249* +Midland Funding LLC, 2365 Northside Dr., Ste 300, San Diego, CA 92108-2709
14519254* ++PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067
(address filed with court: Portfolio Recovery Associates, 120 Corporate Blvd., Suite 100,
Norfolk, VA 23502)
14519251* Penn Credit Corp., P.O. Box 988, Harrisburg, PA 17108-0988
14519252* Peoples Natural Gas, P.O. Box 535323, Pittsburgh, PA 15253-5323
14519253* +Pioneer Credit Recovery, P.O. Box 189, Arcade, NY 14009-0189
14519256* Receivable Management Services, P.O. Box 280431, East Hartford, CT 06128-0431
14519257* Sears Gold Mastercard, P.O. Box 183082, Columbus, OH 43218-3082
14519259* Synchrony Bank/Lowes, P.O. Box 530914, Atlanta, GA 30353-0914
14519260* Synchrony Bank/Lowes, P.O. Box 965005, Orlando, FL 32896-5005
14519261* +The Law Offices of Robert J. Colclough, 8550 Balbao Blvd., Suite 232,
Northridge, CA 91325-5806
14519262* +Transworld Systems Inc., 507 Prudential Road, Horsham, PA 19044-2308
14519265* +United Revenue Collection Service, P.O. Box 1184, Langhorne, PA 19047-6184
14519263* +United Revenue Collection Service, PO Box 1184, Langhorne, PA 19047-6184
14519264* +United Revenue Collection Service, P.O. Box 1892, Bensalem, PA 19020-6892
14416325 ###Creditech, PO Box 130, Bangor, PA 18013-0130
14416340 ##Receivable Management Services, P.O. Box 280431, East Hartford, CT 06128-0431
14416344 ###The Law Offices of Robert J. Colclough, 8550 Balbao Blvd., Suite 232,
Northridge, CA 91325-5806
14416346 ##+United Revenue Collection Service, P.O. Box 1892, Bensalem, PA 19020-6892

TOTALS: 2, * 32, ## 4

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

District/off: 0315-1

User: jmar
Form ID: 149

Page 3 of 3
Total Noticed: 46

Date Rcvd: Dec 20, 2017

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 22, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 20, 2017 at the address(es) listed below:

Christopher M. McMonagle on behalf of Creditor Wilmington Savings Fund Society, FSB, et al.
cmcmcnagle@sterneisenberg.com, bkecf@sterneisenberg.com
Dai Rosenblum on behalf of Debtor Richard L. Micco dunmyrem@zoominternet.net,
dailaw@earthlink.net;dailaw2@earthlink.net;pjbz@zoominternet.net;jmp8618@gmail.com
Dai Rosenblum on behalf of Plaintiff Richard L. Micco dunmyrem@zoominternet.net,
dailaw@earthlink.net;dailaw2@earthlink.net;pjbz@zoominternet.net;jmp8618@gmail.com
Dai Rosenblum on behalf of Plaintiff Linda L. Micco dunmyrem@zoominternet.net,
dailaw@earthlink.net;dailaw2@earthlink.net;pjbz@zoominternet.net;jmp8618@gmail.com
Dai Rosenblum on behalf of Joint Debtor Linda L. Micco dunmyrem@zoominternet.net,
dailaw@earthlink.net;dailaw2@earthlink.net;pjbz@zoominternet.net;jmp8618@gmail.com
James Warmbrodt on behalf of Creditor Ditech Financial LLC bkgroup@kmlawgroup.com
Kirsten S. Penn on behalf of Creditor First Commonwealth Bank kpenn@lenderlaw.com
Mario J. Hanyon on behalf of Creditor Ditech Financial LLC pawb@fedphe.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Roger P. Poorman on behalf of Creditor First Commonwealth Bank rpoorman@lenderlaw.com,
sdorn@lenderlaw.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
Steven P Kelly on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana
Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust
skelly@sterneisenberg.com
T. Lawrence Palmer on behalf of Creditor T. Lawrence Palmer Office of Attorney General,
Pennsylvania Department of Revenue lpalmer@attorneygeneral.gov, MarkSPalmerPC@aol.com
TOTAL: 13